



NEB Provincial Authorizations Application Manual

April | 2016

Version 1.9

CONTENTS

| | |
|---|-----------|
| MANUAL REVISIONS | 1 |
| SUMMARY OF REVISIONS | 1 |
| 1 INTRODUCTION | 2 |
| ABOUT..... | 2 |
| NEB PROVINCIAL AUTHORIZATION APPLICATIONS | 2 |
| OTHER COMMISSION APPLICATION PROCESSES | 3 |
| 2 PRE-APPLICANT REQUIREMENTS..... | 5 |
| NEW PERMIT HOLDER APPLICATION | 5 |
| MASTER LICENCE TO CUT..... | 5 |
| EPASS..... | 5 |
| 3 PREPARING NEB PROVINCIAL AUTHORIZATION APPLICATIONS | 7 |
| PREPARING AND PLANNING..... | 7 |
| RIGHTS HOLDER ENGAGEMENT..... | 8 |
| ADDITIONAL CONSIDERATIONS | 8 |
| APPLICATION SUBMISSION | 10 |
| 4 APPLICATION REVIEW & DETERMINATION PROCESS..... | 12 |
| APPLICATION REVIEW & DETERMINATION PROCESS | 12 |
| 5 COMPLETING NEB PROVINCIAL AUTHORIZATION ONLINE APPLICATIONS..... | 16 |
| APPLICATION TAB | 17 |
| ENGINEERING TAB | 19 |
| LAND TAB | 20 |
| FORESTRY TAB | 24 |
| FIRST NATIONS TAB | 27 |
| STREAM CROSSINGS TAB | 29 |
| ATTACHMENTS TAB | 31 |
| FINALIZE TAB | 32 |
| 6 PRE- AND POST-CONSTRUCTION REQUIREMENTS..... | 33 |
| PRE-CONSTRUCTION REQUIREMENTS..... | 33 |
| POST-CONSTRUCTION REQUIREMENTS..... | 33 |
| LICENSE OF OCCUPATION..... | 33 |
| APPENDIX A: CONSTRUCTION PLAN REQUIREMENTS..... | 35 |
| APPENDIX B: KERMIT OVERVIEW | 37 |
| APPENDIX C: NOTICE OF CONSTRUCTION START SUBMISSIONS..... | 41 |
| APPENDIX D: ENGAGEMENT LOG EXAMPLE | 44 |

Manual Revisions

Summary of Revisions

Manual revisions by section are highlighted below.

Applications received on or after the effective date (as indicated in the revision table) will be required to meet the revised application standards.

| Effective Date | Section | Description/Rationale |
|-----------------|-----------|--|
| 1-February-2015 | Section 6 | Updated to reflect the amalgamation of Post-Construction Plans with As-Cleared Plans into a single Post-Construction Plan submission (p.30). For more information regarding this change, please see Industry Bulletin 2015-01 on the Commission's website. |
| 1-April-2016 | Various | Various updates have been made to this document. Users are encouraged to review the manual in full. |
| 1-May-2016 | Various | Various updates have been made to this document. Users are encouraged to review the manual in full. |

1 Introduction

About

The NEB Provincial Authorizations Application Manual is intended to guide users through the BC Oil and Gas Commission's (Commission) application processes. It presents an in-depth, end-to-end guide for applicants who need to submit an application for land associated with an NEB-reviewable pipeline. By consulting this guide and its requirements in full, applicants can minimize the risk of submitting an incomplete application and be confident in their knowledge of Commission processes.

Please note: This manual does not replace legislation. All applicants are encouraged to read applicable legislation and regulation in full; it is the applicant's responsibility to know and uphold its legal responsibilities inside and outside of the Commission's legislative authority.

NEB Provincial Authorization Applications

The National Energy Board (NEB) reviews and makes determinations on applications for federally-regulated pipeline projects.

In determining whether a pipeline project should proceed, the Board reviews, among other things, its economic, technical and financial feasibility, and the environmental and socio-economic impact of the project.

The Commission has the power to issue specific provincial authorizations related to pipelines that are subject to the National Energy Board (NEB) Act, including:

- Land Act: sections 11, 38, 39 40 and 96
- Forest Act: sections 47.4 and 117
- Water Sustainability Act: sections 10, 11 and 26

For new NEB-reviewable pipeline projects, applicants can submit a NEB provincial authorization application to the Commission to seek authorization to use and access provincial Crown land, as well as to seek additional provincial permits required to carry out their activities.

Depending on the project requirements, through the NEB provincial authorizations application process, applicants may apply to receive:

- Authorizations for occupation of Crown land under a Land Act Section 39 License of Occupation for the pipeline right of way, and under a temporary Land Act Section 39 License of Occupation for ancillary land use (decking sites, workspaces, shooflies, etc.). Post-construction, and after surveying requirements are met, a

The NEB conducts audits and inspections of federally-regulated pipeline construction and operation to ensure that engineering, safety and environmental requirements are met.

Land Act Section 40 Statutory Right of way will be issued for the pipeline right of way.

- Authorizations under section 11 of the Water Sustainability Act (changes in and about a stream) for stream or water body crossings.
- A cutting permit under section 47.4 of the Forest Act to harvest Crown timber, and under section 117 for a road use permit to use forest service roads, if required.

Other Commission Application Processes

NEB pipeline permit holders may also obtain required provincial authorizations via the following Commission application processes for proposed activities that are directly applicable to pipeline construction activities:

Road Application Process:

Road permits cannot be issued as part of the NEB provincial authorizations application. Any roads permits required by NEB pipeline permit holders for roads on Crown land can be obtained via the Commission's road application process. For information on this process, see the [Road Application and Operations Manual](#).

Note: The Road Application and Operations Manual speaks specifically to roads that are applied for under the Oil and Gas Activities Act and Oil and Gas Road Regulation. These pieces of legislation do not apply to NEB-reviewable projects, therefore, any road permit that may be granted to NEB pipeline permit holders are issued under the Land Act and apply to Crown land only (unlike road permits under the Oil and Gas Activities Act, which are required for roads on both Crown and private land). However, for all types of road applications, the Commission expects the same information to be provided, and NEB-related applicants should refer to the Oil and Gas Road Regulation for a clear sense of the standards to which proposed NEB-related roads should be designed, built, maintained, and decommissioned.

Crown Land Application Process:

This process may be used to obtain access to provincial Crown land for standalone requirements, such as those that may arise during planning or maintenance activities, including investigative use permits, standalone temporary workspaces, and any compressor sites and meter stations associated with an NEB

pipeline and allocated on Crown land. For more information on this process, see the [Crown Land Application Manual](#).

Water Sustainability Act s. 11 Application Process:

Applicants must acquire authorization under the Water Sustainability Act for any works proposed to occur within a stream. The watercourse crossings and works process may be used to obtain provincial authorizations for standalone activities, such as those that may arise during planning or maintenance activities. These authorizations can be applied for via the [Watercourse Crossings and Works Application Form](#). For more information on this process, see the [Watercourse Crossings and Works Applications and Operations Manual](#).

Water Sustainability Act s. 10 Application Process:

Applicants must acquire authorization under the Water Sustainability Act to use or divert any Crown water resources. The water use approvals process may be used to obtain provincial authorizations for short-term use of water. For more information on this process, see the [Short-Term Use of Water Application Manual](#).

2 Pre-Applicant Requirements

Companies submitting applications to the Commission for the first time must ensure all pre-applicant requirements have been met, including: submitting the New Permit Holder Application Form, obtaining a Master Licence to Cut (MLTC) and creating an ePASS account.

New Permit Holder Application

The New Permit Holder Application Form captures general administrative and corporate registry information. Completed New Permit Holder Application Forms and required attachments must be submitted to the Commission's Corporate Land Management Unit. New Permit Holder Application Forms must be processed by the Commission before the submission of applications to the Commission.

For more information on the New Permit Holder Application Form, please refer to the Commission's [Corporate Land Management Manual](#).

Master Licence to Cut

A [Master Licence to Cut](#) (MLTC) on Crown land is required if timber must be removed to conduct an oil and gas activity. A separate agreement is required for each forest district.

An MLTC must be completed and submitted before an application for oil and gas activity is submitted, as the MLTC will govern the cutting permit that authorizes the removal of timber on Crown land.

ePASS

Companies new to the Commission must create an ePASS account. ePASS stands for "electronic petroleum applications spatial submission". Spatial data for all application types must be submitted to the Commission via ePASS. NEB Provincial Authorization Applications must include both provincial Crown and private land that is encompassed in the pipeline right of way in ePASS submissions.

Section 2 of the [ePASS Submission Standards](#) describes all attribute data components that must be submitted using ePASS for permit applications.

All ePASS submissions must conform to the shape file spatial data format. These spatial standards are outlined in the Environmental Systems Research Institute White Paper, [ESRI Shapefile Technical Description](#).

3 Preparing NEB Provincial Authorization Applications

To obtain provincial authorizations related to NEB regulated pipelines, companies must have first submitted an application to the NEB, and must provide that application number as part of the provincial application through KERMIT, the Commission's online application system.

Applications for ancillary activities outside of the pipeline right of way, including roads, camps and storage areas, must be submitted as hard copy applications directly to the Commission.

A complete application provides the Commission with the information necessary to conduct a review of the proposed project. Upon completion of the review, the Commission may issue the related authorizations.

Before submitting an application, planning and preparation activities may be required. Following the guidance provided in this section will help to ensure that the application is complete upon submission.

Preparing and Planning

The following sections include guidance for preparing NEB provincial authorization applications.

As part of a NEB provincial authorization application, every applicant must:

- 1) Prepare and submit construction plan(s) for the project. Construction plan requirements are detailed in [Appendix A](#).
- 2) If a pipeline will be constructed over, under, parallel or perpendicular to another pipeline, and the applicant has not obtained agreement about construction from the owner of the existing pipeline, a detailed description of the construction in relation to the other pipeline, and a report of the efforts made to obtain agreement, must be submitted to the Commission with the application.
- 3) Carry out rights holder engagement and submit the required Rights Holder Engagement Line List. The Commission will consider the Environmental Protection and Management Regulation, particularly Government's Environmental Objectives (GEOs), in its review of applications. Applicants should provide a document, such as an environmental

management plan, that describes the conformance of their proposed activity with each of the GEOs in the Environmental Protection and Management Regulation.

- 4) Complete an Archaeological Assessment Information Form (AAIF) or equivalent archaeological study summary.

Rights Holder Engagement

The province makes every effort to ensure that resource management is coordinated and that oil and gas activities will not adversely affect long-term rights holders' interests.

The Commission requires that applicants engage all Crown land rights holders before submitting an application; engagement methods may vary depending on the nature of the proposed activities.

Notification is written information regarding a proposed activity.

Consultation is when applicants exchange information, including concerns, with affected parties. It is a two-sided process.

It is recommended that the applicant notify a rights holder if the proposed related activity is within an area subject to the right of a rights holder (for example, the proposed activity falls within a guide outfitter's tenure).

If the proposed activity is within an area subject to the right of a rights holder, and it is known to the applicant that the ability of the rights holder to exercise their right will be *directly and adversely affected*, the Commission recommends the applicant engage the rights holder in consultation.

Companies are required to attach a [Rights Holder Engagement Line List](#) to their application submission. For further clarification regarding rights holder engagement, including instructions on how to complete the Rights Holder Engagement Line list, refer to the [Crown Land Application Manual](#).

Additional Considerations

AAIF Submissions

An AAIF must be submitted by all applicants, or their agents, for all applications related to oil and gas development or exploration. A request for a variance from the AAIF requirement can be made. In some cases a summary of archaeology works completed under NEB process that meets specific content and format determined by the Commission can be submitted in place of the AAIF. This option is reserved for extenuating circumstances and must be discussed with the Commission in advance of preparing the application for submission. The AAIF or equivalent is the key information source for both the oil and gas client and the Commission, as it contains all client,

development, archaeologist and assessment overview information.

The Commission's [Archaeology Guideline](#) contain separate step-by-step instruction for completing each AAIF.

Archaeology-Related Authorizations

Where development activities such as harvesting trees, excavating utility trenches, or other ground-disturbing activities need to be conducted within the boundaries of a recorded archaeological site, an [alteration permit under the Heritage Conservation Act](#) is required. These permits are issued by the Archaeology Branch of the Ministry of Forests, Lands and Natural Resources for projects associated with NEB pipelines.

ALR Disturbance

As NEB projects are federal jurisdiction, they are not subject to the Delegation Agreement between the Provincial Agricultural Land Commission and the BC Oil and Gas Commission signed June 2013. However, the ALC requests that all NEB projects reclaim ALR lands to the same agricultural standard as other oil and gas developments on ALR lands.

Engaging First Nations Prior to Application

Before submitting an application of any type to the Commission, companies are encouraged to initiate and build relationships directly with First Nations communities that may be impacted by a proposed activity.

Determining the First Nations to be consulted on each proposed activity is the responsibility of the Commission. However, in order to create application packages and conduct pre-engagement, applicants can obtain information on the First Nations in whose territory their activities are proposed by referring to the Consultative Areas Database (CAD) on [GeoBC](#).

The Commission recommends that companies use an Engagement Log to record all meetings and conversations with First Nations communities. This Engagement Log is not required, but can provide helpful information that may be considered in the Commission's decision-making process. Appendix F includes a description of the recommended information fields in an Engagement Log, and an example format that may be used. Applicants may contact the Commission's First Nations Liaison Officers to confirm the First Nations that the Commission will consult and for advice on engaging First Nations.

These engagements do not replace the First Nations consultations carried out by the Commission, as described in [Section 5](#).

Other Requirements Related to Camps

The Commission may authorize oil and gas operators to use land for the purposes of a camp; however, additional authorizations and permits are required from other provincial agencies to construct and operate a campsite.

Spatial Data

Provincial spatial data is housed within the BC Geographic Warehouse, a consolidated source of land and resource information from across the province. It includes cadastral information (tenures, ownership, boundaries), resource information (vegetation, fisheries, wildlife), provincial atlas (rivers, roads, buildings, topography, surveys) and planning and analysis information (land and resource management plans, sustainable resource management plans, areas established by order under the Environmental Protection and Management Regulation).

Spatial data from the BC Geographic Warehouse is available to view through iMapBC and the Discovery Service and to download from the Distribution Service.

All services can be accessed through the [GeoBC Gateway](#).

For more information on identified spatial areas and areas established by order, please refer to [Spatial or Identified Areas](#) in Section 5.

Application Submission

Applicants may submit their complete NEB pipeline provincial authorization and related activity applications to the Commission after having submitted the related pipeline application to the NEB. However, the decisions on these applications are pending receipt of NEB approval for the related pipeline (a Certificate of Public Convenience and Necessity).

Once all application documents have been prepared, the pipeline application may be submitted to the Commission through KERMIT, the Commission's online application system. Once applications are submitted via KERMIT, construction plans and First Nations packages must be submitted in person or via mail to the BC Oil and Gas Commission in Fort St John:

BC Oil and Gas Commission

Physical Address: 6534 Airport Road, Fort St. John, BC, V1J 4M6

Mailing Address: OGC, Bag 2, Fort St. John, BC, V1J 2B0

Notations of Applications in Progress:

After submitting an application to the NEB, but before submitting an application to the Commission, applicants may upload project shape files to ePASS by initiating an application in KERMIT with the associated ePASS number and company contact information entered in the Application tab of KERMIT. The referenced ePASS shape file will be uploaded to the Integrated Land and Resource Registry (ILRR). ePASS shape files are uploaded nightly; therefore, they will not appear in the ILRR immediately. Refer to the ePass standards document for details regarding process and standards for submission of spatial information through ePass.

The intent of this process is to support communication to the NEB pipeline applicant of any other subsequently planned activities within the project area. The existence of the shape file in the ILRR will not provide protection or guarantee of the Crown land. Its existence in the ILRR will, however, indicate to other potential applicants that an application is in progress and activity is planned for the area. Potential applicants may contact the Commission for more information. If contacted, the Commission will provide the NEB applicant's contact information and request that the potential applicant contact the NEB applicant about any planned applications to the Commission, or other agencies, for use of the land.

4 Application Review & Determination Process

This section provides an overview of the Commission’s application review and determination processes, including details for applicants on revising and amending applications.

Application Review & Determination Process

The following process map includes the major steps of the Commission’s application review and determination process. The steps are broken down into greater detail in the remainder of the section.

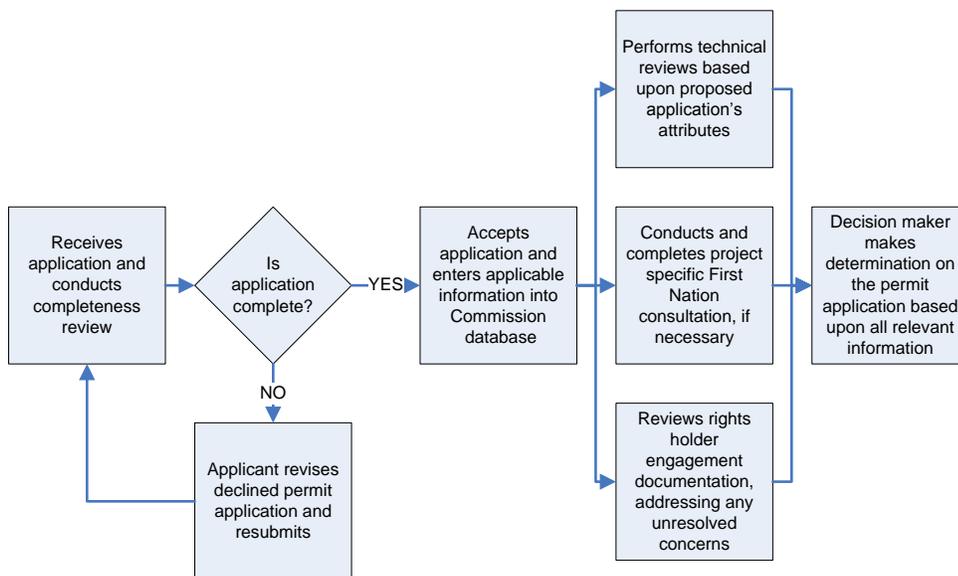


Figure 3.1. Process map of the Commission’s application review and determination processes

Application Screening

After an application is submitted, the company is referred to as the “applicant”.

After an application is received by the Commission, it is reviewed for completeness.

Complete Applications

After the application is approved, the applicant is referred to as the “permit holder”.

When all requirements are met, the application is complete and accepted by the Commission, after which the application enters the application review phase.

Declined Applications

Incomplete applications are declined and returned to the applicant. A rationale of why the application was declined is sent to the applicant by email.

After any deficiencies are addressed, the application can be resubmitted. Applications that have been declined are reviewed in order of the resubmission date, not the date of original submission.

Application Review Phase

When the Commission reviews an NEB-related application, it considers the alignment of the proposed activity with Government's Environmental Objectives in the Environmental Protection and Management Regulation. Applications should clearly identify where a proposed project conflicts or is inconsistent with an Objective in the Regulation, and describe the applicants' conclusions about the extent of that conflict or inconsistency. Applications should also include a rationale for why any conflicts or inconsistencies are unavoidable, and outline any mitigations including planning considerations, operational measures, or accommodations that are proposed in order to minimize potential impacts. The [Environmental Protection and Management Guidebook](#) outlines Commission's interpretation and application of Government's Environmental Objectives, as well as expectations for use and development of mitigation strategies.

In addition, applications that propose instream works should include information that addresses the protection objectives in the Water Act and Water Regulation, which include:

- Designing, constructing, and maintaining works in and about a stream in a manner that does not pose a significant danger to life, property or the environment;
- Protecting water quality;
- Protecting habitat; and
- Protecting the interests of other water users.

The application must include all proposed stream crossings along the pipeline, whether on Crown or private land. In addition to submission of crossing information through KERMIT, crossings must be identified on the construction plan/maps and included with the ePass submission.

Application Revision

After submitting an application, the applicant may submit revisions to the application. Revisions are only accepted before a determination is made.

To document the revision, the applicant must submit a revision application (using the appropriate application form for the activity being revised and identifying on the form that it is a revision application), updated application deliverables and a letter describing the revision and why it is being requested. Application deliverables must include documentation of any required NEB approval of the change.

When a revision application is submitted, it replaces the original application. As with declined applications, revised applications are reviewed in order of the resubmission date.

Withdrawals

To withdraw an application, an applicant must submit a written request to the appropriate Authorizations Manager.

Determination Phase

Application Determination

After all internal reviews and First Nations consultation are complete, the Commission may issue appropriate authorization under the Land Act, Forest Act and/or Water Sustainability Act, which may include conditions on the activities that the permit holder may carry out.

Post-Approval Phase

Permit Distribution

When a permit is issued, the Commission distributes the permit to the company, First Nations that were involved in consultation on the application, the company, the land agent, and any applicable agencies, which may include: Ministry Forests, Lands and Natural Resource Operations; WorkSafeBC; etc.

Amendments

An amendment is a change required *after* a n approval has been issued by the Commission.

Amendments to the pipeline right of way are submitted through KERMIT, and follow the same process (selecting NEB Provincial Authorization Amendment in the New Application list), as described in [Section 5](#) of this manual.

Amendments to other approvals are submitted using the same form as the original application (road application or Crown land application), identifying on the form that the application is to amend an existing approval.

Applicants may include only the amended area in Area Table of the construction plans, as the previously approved area will be indicated on the application form. Permit holders must ensure that the spatial data includes both the existing approved area and the proposed amended area.

Amendment application deliverables must include documentation of any required NEB approval of the change.

5 Completing NEB Provincial Authorization Online Applications

The applicant that will hold the surface tenure is accountable for the accuracy of the application content entered into KERMIT. If the applicant chooses to use outside agents or consultants, the applicant remains accountable for the accuracy of the application.

Applicants seeking approval for NEB provincial authorizations must complete all required online application components in KERMIT and ensure the required attachments are uploaded. KERMIT is the Commission’s *Knowledge, Enterprise, Resource, Management, Information and Technology* data system. See [Appendix C](#) for an overview of KERMIT functionality.

The following sections provide guidance for completing each component (or tab) of an NEB pipeline provincial authorization application through KERMIT.

If necessary, the applicant is directed to a link or specific document that provides expanded information or explanation.

For applications other than the pipeline right of way (e.g. roads, storage sites, temporary workspace and other ancillary activities), please refer to the [Road Application and Operations Manual](#) or the [Crown Land Application Manual](#) for specific information regarding application deliverables and submission standards.

New NEB Provincial Authorizations Application

1. Click on the Applications tab.
2. In the permits block, select Pipeline Permit.
3. Under the New Land Required block, select NEB pipeline Provincial Authorizations (New).



NEB Pipeline Provincial Authorizations Application Page

The new NEB pipeline provincial authorizations application page opens and a job number and OGC file number are generated. The application contains categorized tabs where information is to be entered. The tab categories include: Application, Engineering, Land, Forestry, First Nation(s), Stream Crossing, Attachments and Finalize, which are covered in the [Section 5](#) of this manual.

>> Pipeline Permit

Job #: 006268273-001 Status: **New** Submission #: 0 [Print Pipeline Permit](#)
OGC File #: 9701369 Application Type: **NEB pipeline provincial authorizations (New)** Revision #: 0
Proponent: Anderson Energy Limited Application Date: mmm dd, yyyy Approval Date: mmm dd, yyyy
Complexity: **Non-Routine**
Activity Type: **(None)**

Application Engineering Land Forestry First Nation(s) Stream Crossing Attachments Finalize

General Application Info

Application Source: Online Completed Date: mmm dd, yyyy
Created Date: Mar 26, 2012
Created By: KudzaIM
Current Operator:

Area of Activity

Zone: (None) [v]
Involves: SYD ALR MKMA

Administration

Company: Anderson Energy Limited [v] Contact: []
700 - 400, 3rd Ave SW
Calgary, Alberta T2P4H2
Phone: (403) 262-6307
Fax: (403) 261-2792
Email: dummy@computronix.com

or, provide contact information in the fields below...

First Name: []
Last Name: []
Phone #: ([]) [] - []
Fax #: ([]) [] - []
Email: []

Company File #: []

Companies applying for pipeline and/or facility activity for the first time in BC must ensure the pre-application requirements have been met. See the [Pipeline and/or Facility Manual](#) for details.

Land/Referral Agent (Optional)

Company: [] Contact: []

Agent File #: []

Application Tab

The application tab includes information about the area of activity, proponents and land or referral agents.

Area of Activity

Select the appropriate Commission [regional zone](#) from the drop-down menu.

The applicant must indicate whether the application is for activity that involves geographic areas by selecting the appropriate boxes. Descriptions of these areas are provided below.

SYD

Indicate if the activity is located within the Sierra-Yoyo-Desan (SYD) Accessible Area, which comprises parts of the NTS grid 094J, 094I, 0940 and all of 094P. Further details are available on [Ledcor Group's website](#).

ALR

Indicate if the activity (or any portion) is located within the Agricultural Land Reserve (ALR). For further details about ALR requirements, refer to the Land tab description, below.

MKMA

Indicate if the activity occurs within the designated area called Muskwa-Kechika Management Area (MKMA). This triggers additional application information, and further details are included in the [Additional Information](#) section of the manual.

Proponent

Company

To enter company information, click the Find button and choose the applicable company. If the company name does not appear, or the address is incorrect, the applicant must contact the Commission's Corporate Land Management Unit to update the information before submitting the application.

Contact

If the contact does not appear, or is not already entered in the Commission's database, the applicant company's KERMIT administrator must enter the individual before continuing.

Land / Referral Agent (Optional)

If an agent is signing on behalf of the applicant, a letter of authorization from the applicant must be on file at the Commission before submitting the application. For applicants utilizing a land or referral agent, all information fields must be entered.

Only an employee or agent of the applicant, with designated authority to sign legal agreements can sign on behalf of the applicant.

Company

Select the land/referral agent company by clicking the Find button and choosing the applicable company. If the company name does not appear, or the address is incorrect, the applicant must contact the Commission's Corporate Land Management Unit to update the information before submitting the application.

Contact

To enter the land/referral agent company contact, click the Find button and add contact by name. If the contact is not entered in the Commission's database, the applicant company's KERMIT administrator must enter the individual before continuing.

For reference, enter the agent's internal file number.

Engineering Tab

The Engineering tab contains general pipeline specifications and spatial information.

Pipeline Specifications

The pipeline specification section allows applicants to identify each segment of pipe, including new pipe that will be built in existing right-of-ways. The start and end points are not just from lease to lease, but the exact start and end point of the pipeline. For example, from a riser on a starting site to another riser on the end site, the segment length to be reported is the actual pipeline segment length, not the surface land length. Pipelines will be specifically denoted by using the Project and Segment numbers. The segments entered into KERMIT should be consistent with those submitted to the NEB.

The New Pipeline Segment button opens the details window where the required information can be entered

Location

- 1) Enter the segment number.
- 2) Enter the *from* and *to* location, with complete NTS or DLS descriptions for the selected segment.
- 3) Enter the UTM (NAD83 CSRS) Location for both the *from* and *to* location of the selected segment.

Pipeline Details

For each segment, the proposed pipe length in metres (the actual pipeline length, not the surface land length) must be entered.

Location Notes

Location notes provide space to add more information about the location at the discretion of the applicant.

Remember to save the information before closing the window.

Construction Plan requirements are located in [Appendix A](#).

Spatial Data & Construction Plan Details

Enter the construction plan job number, as recorded on the construction plan, and choose the survey company name from the drop-down menu.

ePASS #

Enter the ePASS number associated with the application.

Drawing Specifications

Click the new drawing number button and enter the drawing and sheet numbers. Enter the drawing number from the construction plan.

The date of the original plan refers to the date the original plan was drawn. The revision number refers to the revision number of the plan being submitted with the application, and the corresponding revision date.

Land Tab

Information on land status and land use planning allows the Commission to determine how the proposed activity impacts or affects various facets of the land base.

It is the responsibility of the applicant to determine the location and status of all tenure holders. Information sources include the ILRR, MapView and current tenure holder operational plans.

Land Status & Land Use Planning

Indian Reserve Land

If the proposed activity occurs on Indian Reserve Land, that land should be identified as such on construction plans and captured in ePASS and area tables as private land.

BCGS Map sheet(s)

Indicate all BC Geographic Series map sheets (BCGS) affected by the application area. The map sheet numbers should also be indicated on the 1:20,000 BCGS Sketch Map uploaded as an attachment.

Total Area of Crown and Private Land

Indicate the total hectares of proposed Crown and private land usage, as shown on the construction plan, including the right-of-way and any temporary workspaces, pushouts, decking sites, etc.

Enters SYD Road Right of Way

If any new construction is proposed within the right-of-way of the SYD Road, or crossings of the SYD road are proposed, an agreement with Ledcor Group (holder of the SYD Road) must be in place before submitting the application. For more detail, refer to the [SYD Protocols](#).

A copy of the agreement is not required to be submitted with the application, but must be retained on file and provided to the Commission during an audit.

Agricultural Land Reserve (ALR)

Indicate whether any portion of the application area is within the ALR.

Construction Timelines

Choose the ground conditions in which the intended works will be conducted from the drop-down menu.

LRMP

For Crown land applications, choose the Land and Resource Management Plan or the BC Land or Coastal Marine Plan within which the project falls from the drop-down menu. If the required LRMP is not listed for the specified area, select *none* and enter the plan name in the space provided for *Other*.

Resource Management Zone & Development Zone

Enter the applicable resource management zones name. If the zone is general, enhanced, agriculture/settlement, special or protected, choose it from the development zone drop-down menu. Applications within special management zones or protected zones require additional application information, as outlined within the additional information requirements section of the manual.

Muskwa Kechika Management Area (MKMA)

Specify the pre-tenure plan name if the application is within the MKMA.

Additional Information Requirements

Additional information requirements in the form of application attachments are required when oil and gas activities are located in areas of environmental sensitivity, or require deviations from Commission guidance.

If the proposed project does not fall within any of the identified areas, or doesn't deviate from recommended practices, the N/A (not applicable) box must be checked.

For applications that require additional application information, Commission staff will review the provided justification or mitigation strategy to ensure it meets the objectives of the identified area or guidance document. Applications that do not require any additional application information will be subject to the standard application review process by Commission staff.

Prior to completing this portion of the application, applicants are encouraged to review the procedures and practices established for each of the categories in this section to determine if proposed activities meet the established criteria.

When established criteria are not met, a written justification must specify what standard is not met, including a rationale and steps that will be taken in lieu of the recommended practice. Refer to the [Environmental Protection and Management Guidebook](#) for the Commission's expectations of mitigation strategies and when they may be deemed appropriate.

Applicants may submit information from their NEB application as their written justification or mitigation strategy if it meets the guidance provided in the EPMG.

Spatial or Identified Areas

Special management or protected development zones, as per a BC Land or Coastal Marine Plan

BC Land or Coastal Marine Plans provide increased certainty and form the foundation for balanced solutions that meet economic, environmental, social and cultural needs throughout the province. They inform both government decision makers and those seeking natural resource development opportunities. Proposed oil and gas activities should be reviewed prior to application in the context of any applicable Land or Coastal Marine Plans. Projects should conform to the objectives set out for the plan management zone in which the project is proposed.

Where projects fall within special management zones or the equivalent, applicants are expected to provide a summary detailing why the activity must occur within the special management zone or equivalent; what planning and/or

All land and marine planning documents are available at the Integrated Land Management Bureau [website](#).

operational measures have and/or will be taken to mitigate or minimize impacts to the values identified for the zone, and how the zone objectives will be achieved or maintained.

Any issuance, approval, permit or authorization, by a Minister, Ministry or Agent of the Crown, of an oil and gas exploration or development plan, allocation, tenure, disposition, licence or any other instrument or document of oil and gas development or exploration allocation or management must be consistent with any pre-tenure plan which includes the subject area of the instrument or document of allocation or management.

Parks, protected areas and ecological reserves are viewable through the [GeoBC gateway](#).

Park, protected area or Ecological Reserve

Oil and gas activities are not generally allowed within parks, protected areas or ecological reserves. However, there are extenuating circumstances where the Commission may consider applications for activities proposed within these areas.

Before submitting an application for oil and gas activity within a park, protected area or ecological reserve, contact the Commission's Authorizations Manager for the zone in which the activity is being contemplated to determine whether or not the Commission will consider the application.

In the event that the Commission will consider the application, it must be accompanied by a justification detailing why it is necessary to operate within the park, protected area or ecological reserve. In addition a mitigation strategy, outlining what measures will be taken to minimize or mitigate impacts to Crown values within the area, must accompany the application.

For a detailed outline of the Commission's expectations with respect to mitigation strategies, refer to the Environmental Protection and Management Regulation Guidebook.

Areas established under order under the EPMA will be viewable through the [GeoBC gateway](#).

Areas Established by Order under the Oil and Gas Activities Act

In accordance with OGAA s.104, areas for management of wildlife habitat, environmental sensitivities, or maintenance of biodiversity may be established under the [Environmental Protection and Management Regulation](#).

Applications for oil and gas activities in areas established by order under the Environmental Protection and Management Regulation generally must include a detailed mitigation strategy, illustrating how the proposed activity will be carried out to ensure no material adverse effect on the identified area. Where acceptable operating practices have been identified by the Commission and/or the Minister responsible for the order, the application must indicate that the appropriate operating practices

Currently, the Commission has not identified any streams or water bodies that require enhanced management.

will be followed. For a detailed outline of the Commission's expectations with respect to areas established by order and mitigation strategies, refer to the Environmental Protection and Management Regulation Guidebook.

Streams and Water bodies Identified by the Commission

The Commission has identified water bodies that may require enhanced management for various reasons. Water bodies and areas requiring enhanced management for the purposes of *Water Sustainability Act* authorizations are available via LRDW.

All crossings proposed within these areas require a mitigation strategy. Refer to the Environmental Protection and Management Regulation Guidebook for guidelines outlining the Commission's expectations in regard to mitigation strategies.

Guidance Requirements

Deviation from the Environmental Protection and Management Guidebook

Refer to the [Environmental Protection and Management Guidebook](#) for guidelines outlining the Commission's expectations about information to be included in applications, conformance with the regulation, and detailed information regarding mitigation strategies.

Forestry Tab

The forestry tab provides administrative information on proposed timber activities and forest service road use for activities-on Crown land.

General operational guidance is provided below followed by instructions on entering the required application information into KERMIT. To begin entry of forestry related information in the KERMIT tab click on the new forestry entry button to enter the required application information.

Stumpage

In accordance with the *Forest Act*, stumpage is payable for harvesting activity conducted under the Master License To Cut. For activities in the Peace, Fort Nelson, Mackenzie or Rocky Mountain Forest Districts, stumpage is calculated on an area basis and will be billed directly by the Ministry of Forests, Lands and Natural Resource Operations (MFLNRO) based on the data submitted on the post construction plan, which is required 60 days after construction completion.

For activities outside the Peace, Fort Nelson, Mackenzie or Rocky Mountain Forest Districts, permit holders must submit a stumpage rate request form to the MFLNRO. The Ministry will invoice the applicant for stumpage accordingly.

The Ministry of Forests and Range [Interior Appraisal Manual](#) outlines the parameters related to stumpage.

Timber Marking

Timber marking must be carried out in accordance with the [Timber Marking and Transportation Regulation](#).

Applicants are encouraged to incorporate forest and range tenure digital information into their plans.

Woodlot Tenures

The applicant must ensure woodlot tenures affected by the project have been identified and agreement has been reached with the licensee(s).

The woodlot holder must obtain cutting authority for oil and gas related harvesting from the Ministry of Forests and Range.

The following page describes the requirements for completing the Forestry tab in KERMIT.

Application Information

New Crown Land Area Disturbance

The area in hectares to be included in this section will be the total area of Crown land usage proposed, minus any woodlot areas included in the project area and/or any previously cleared areas (where stumpage has already been collected).

This area must be clearly identified in the construction plan, and subsequently labelled as “new Crown land area disturbed” on the pipeline as-cleared submission form.

Merchantable Timber Volume

Estimate the volume of coniferous and deciduous timber in cubic metres.

If the merchantable volume exceeds 2000 m³ an appraisal is required. Refer to the Ministry of Forests and Range [Interior Appraisal Manual](#). Appraisal data submissions are made directly to the Electronic Commerce Appraisal System (ECAS).

State the ECAS reference number, if applicable, or indicate if a rate request form is being submitted with the application as an attachment.

Area Within Woodlot

Indicate the woodlot tenure area to be excluded from the cutting authority. This area must also be clearly marked on the construction plan.

The Commission cannot issue authorization to harvest within a woodlot tenure area. Authority to harvest within a woodlot tenure area must be obtained through the woodlot holder.

Forest Service Road

If use of a Forest Service Road is required, an Road Use Permit Application must be submitted to the Commission. The RUP must indicate the sections of the Forest Service Road for which the applicant requires authorization. Applicants should refer to the Road Application and Operation Manual for more information.

Documents

If required, upload a stumpage rate request form or a Forest Service Road Use Permit Application Form.

First Nations Tab

The Province of British Columbia has the duty to consult and, if required, accommodate First Nations whenever it proposes a decision or activity that could have potential impact to treaty rights or Aboriginal rights recognized and affirmed by Section 35(1) of the Constitution Act, 1982. As an agent of the Crown, the Commission fulfills any provincial obligation to consult with First Nations before the authorization of activities under the Oil and Gas Activities Act and related specified enactments.

Applicants may contact the Commission's First Nations Liaison Officers to obtain information about First Nations administrative boundaries and for advice on engaging First Nations.

Consultation

Consultation with Treaty 8 First Nations about any potential impact of their treaty rights by oil and gas activities are guided by agreements between the Commission and First Nations.

First Nations agreements with the Commission are located on the [Commission's First Nations webpage](#).

For Treaty 8 First Nation communities without agreements with the Commission, or First Nation communities who are not members of Treaty 8, the British Columbia Interim Consultation Process applies.

The Commission consults with First Nations through the process and timelines established in the [Consultation Agreements](#). The consultation process begins once the First Nation community receives the completed package. The Commission's internal reviews are conducted at the same time as the reviews conducted by First Nations.

If concerns are identified in First Nations' responses, the Commission will, if appropriate, facilitate meetings with the First Nation (involving the applicant, if necessary) to discuss their concerns and proposed accommodation measures.

The Commission may also consider the applicant's engagement with First Nations, prior to application, as part of its decision making process.

Additionally, information related to consultation with, or involvement of, First Nations during the NEB application process should be attached to the application.

Administrative Boundaries

Administration boundaries established through the agreements guide consultation for each First Nation. If no agreement is in place, the boundaries are guided by the Provincial Consultation Boundaries.

[Notice packages](#) are different from, and must not be confused with, [Notification](#) as defined within the consultation agreements with First Nations.

Aboriginal Community Notice

There are four Aboriginal communities to which the Commission provides information about surrounding oil and gas activities in the form of an Aboriginal Community Notice.

| Aboriginal Community Notice Communities | |
|--|-------------------------------------|
| <i>Abbreviation</i> | <i>Aboriginal Community Names</i> |
| KLCN | Kelly Lake Cree Nation |
| KLFN | Kelly Lake First Nation |
| KLMSS | Kelly Lake Métis Settlement Society |
| FLFN | Fort Liard First Nation |

First Nations Packages

Once an application is submitted electronically, hard copy First Nations packages for each community must be submitted to the Commission with a clear cross-reference to the electronic submission number provided with the electronic application. Commission reviews will not begin until these packages are submitted.

Each community package must contain:

- Two cover letters.
- Copy of the KERMIT application print-out.
- Construction plan, as described in [Appendix A](#).
- Maps, 1:20,000 BCGS sketch; 1:50,000 program map and 1:250,000 access map.
- Archaeological Assessment Information Form (AAIF).
- Archaeological reports, if available.
- Any other information included with the application as part of the [Additional Information Requirements](#).

When in the Kaska Dena-Daylu area, three packages are required.

First Nation(s) Consultation / Notifications

Each First Nation requiring consultation must be entered in KERMIT. To enter the appropriate First Nations information into KERMIT, click the new Consultation/Notification button to open the details window.

Details

Select the affected First Nation from the drop-down menu. If the First Nation required is not in the list provided, manually enter it into the text box labeled *Other*.

Select the application type from the drop-down menu. If an application is a pre-assessment, choose Notification. For First Nations, other than notice-only First Nations who do not have agreements with the Commission, the application type should be entered as Complex.

If there is more than one First Nation, add another selection using the new Consultation/Notification button.

Cover Letter

Upload the First Nation package cover letter to KERMIT. Cover letters are found on the [First Nation Forms](#) section of the Commission's website.

First Nation(s) Reviews

This information is auto-populated by KERMIT and provides status information related to consultation.

First Nation(s) Communication Logs

Applicants may enter any upload information related to their communications or engagements with First Nations. As noted above, the Commission may consider this information in its reviews.

Stream Crossings Tab

All stream and waterbody crossings on Crown and private lands needed in order to carry out the activity detailed in the application must have Commission-issued authorization under Section 11 of the Water Sustainability Act. The Stream Crossing tab provides a means for identifying any routine and non-routine stream and waterbody crossings and uploading any related attachments. All stream crossings must also be identified on the construction plan.

Stream crossing guidelines

Stream crossing guidelines are detailed within the Watercourse Crossing and Works Manual. Applicants should refer to this document to understand the information that should be included in their applications to seek authorization for stream crossings and in-stream work.

Routine Stream Crossings

Stream crossings that follow the standards and best management practices within the EPMG are routine and must be identified within this section.

Click on the New Routine Crossing button for each new stream crossing entry.

The crossing number must match the crossing identified in the construction plan. UTM Coordinates (NAD 83 CSRS) must be identified as well as the name of the stream or waterbody.

Non-Routine Stream Crossings

All stream crossings are to be entered under the non-routine stream crossings tab, unless the applicant has acquired a variance to enter them under the routine stream crossings tab. Any variance from an Authorizations Manager must be in writing and must be uploaded into Kermit.

The crossing number must match that crossing identified in the construction plan. UTM Coordinates (NAD 83 CSRS) must be identified as well as the name of the stream or waterbody. Select the crossing type from the dropdown menu which lists permanent, temporary, pipeline and other as options.

Select the riparian class, as defined within the Environmental Protection and Management Regulation Guidebook, from the dropdown menu beside stream details. Include the width in metres and the gradient as a percentage.

Select the access methods from the frozen/non-frozen access dropdown menu and indicate the type of pipeline. Follow the same steps for non-frozen access. Click on the new routine crossing button for each new stream crossing entry.

Attachments Tab

The Attachments tab is where applicants can upload required documentation. Any documents not described above are explained below.

A permit holder must maintain the prescribed records and plans and be able to produce records or plans at the request of the Commission.

Mapping Criteria

All maps should clearly indicate:

- Map date.
- NTS and BCGS map sheet numbers indicated on legend and on the maps.
- North arrow.
- Version number (for example, Revision #1, Amendment #1).

Missing Attachments

The missing attachments section indicates any outstanding documents that have not yet been uploaded to KERMIT. The documents listed must be attached in order to finalize the application.

Attachment List

The attachment list shows what documents have been successfully uploaded to KERMIT, and allows for the attachment of any outstanding items.

Required Attachments

The following must be attached to all NEB pipeline provincial authorization applications before submitting the application to the Commission.

- NEB approval of the project OR a copy of the NEB application.
- Rights Holder Engagement Line List (Status Sheet).
- Construction plan for the entire project.
- 1:20,000 sketch maps.
- 1:50,000 BCGS map.
- 1:250,000 access map.

Application Specific Attachments

The following must be attached, if required, before submitting the application to the Commission.

- Land Justification / Mitigation strategies.
- First Nation consultation package cover letters.
- Indian Oil and Gas Canada Agreement, if available.
- Miscellaneous documents.

Attachment Descriptions (for those not described in previous sections)

BCGS Maps

Every application must be accompanied by the complete set of maps and plans detailing the location and extent of planned activities at an appropriate scale.

Miscellaneous Document

Any document required but not listed in the table, including, but is not limited to:

- Additional NEB documentation, if any.
- Rights Holder Engagement Line List.
- First Nations engagement logs.

Finalize Tab

KERMIT will indicate if there are outstanding issues with the application. Once the outstanding issues are corrected, the application can be finalized and submitted to the Commission.

Applicants should note that the Commission will not review the application in KERMIT until hard copies of First Nation packages are submitted and the Commission receives the applicable fees.

6 Pre- and Post-Construction Requirements

Once approval has been granted, the authorization will establish requirements that the permit holder must meet pre- and post-construction.

Pre-Construction Requirements

Notice of Construction Start

A Notice of Construction Start (NCS) must:

- Be submitted before clearing land and/or setting up equipment on location, and *cannot* be used for multiple projects.
- Be submitted 48 hours prior to the construction start of the project/segment(s).
- Include all segments to be constructed.

Notice of Construction Starts are submitted through the Commission's KERMIT database. Instructions for submitting these notices are included in [Appendix E](#).

Post-Construction Requirements

This section details Commission requirements during the post-construction phase of a project, including the submission of post-construction plans and the issuance of statutory right-of-ways.

Post-Construction Plan Submission

The submission of post-construction plans is required within 60 days of completed construction. Please refer to the Commission's [Permit Operations Administration Manual](#) for detailed submission requirements and process.

License of Occupation

The Commission will issue a Licence of Occupation in accordance with Section 39 of the Land Act.

A Licence of Occupation conveys non-exclusive use for the purpose described and is not a registerable interest in the land. Government may authorize overlapping and layering of tenures.

The Commission will prepare a Licence of Occupation for the right-of-way identified in the construction plan submitted with the permit application. The licence will be sent to the permit holder's surface land administrator in order to authorize occupation of the land.

Permit holders have 60 days from the issuance of the Licence of Occupation to return one signed copy of the licence and the pipeline consideration fees. The duplicate Licence of Occupation is to be retained by the permit holder for their records.

Appendix A: Construction Plan Requirements

Construction plans must include the total area required within a bold outline. Within the plan, and in ePASS, each polygon must be included within a bold outline.

Construction Plan Requirements

A Construction Plan must include the following information:

Title Block

- Applicant company name.
- Applicant file number.
- BCGS mapsheet.
- Legal description of the project.
- Date the plan was prepared (YYYY/MM/DD).
- Scale used.
- Revision number.
- Survey company name, address and phone number.
- Sheet numbers (for example, “1 of 2”).
- Survey company job number.
- Survey company drawing number.
- Table of crossings.
- Crossing number.
- Drawing number.
- Approved by.
- Project manager.
- Notes.
- Legend.
- Revision information.
 - Revision number.
 - Revision completed by.
 - Date of revision.
 - Checked by.

Scale Bar

A scale bar should be placed above the title block where it will not interfere with the drafted areas.

Area Block (Proposed Areas)

Summarize the following in the legend:

- Total area of Crown land.
- Area of new Crown land disturbance.
- Area of existing Crown land disturbed.
- Total area of private land.
- Total area within the Ministry of Transportation and Infrastructure right of way.

Labelling of Plan

Indicate the following on the plan diagram:

- Dimensions and area of Crown land.
- Dimensions and area of linear segments, if applicable.
- Location of Agricultural Land Reserve (ALR), if applicable.

The plan should be labelled to include the NTS coordinates (units, block, group); chainages; deflections; crossing numbers, if any, to correspond to the table of crossings; vegetation changes (brush/tree types) and a North arrow.

Surveyed Crown land (District Lot Numbers, sections, etc., including theoretically surveyed Crown land that is posted, but not titled) and unsurveyed Crown land should be labelled on the plan.

Cut blocks, range tenures, guide outfitter areas, Indian reserves, coal tenures and all other areas of special interest should be labelled on the plan.

Appendix B: KERMIT Overview

KERMIT is the Commission's Knowledge, Enterprise, Resource, Management, Information and Technology data system.

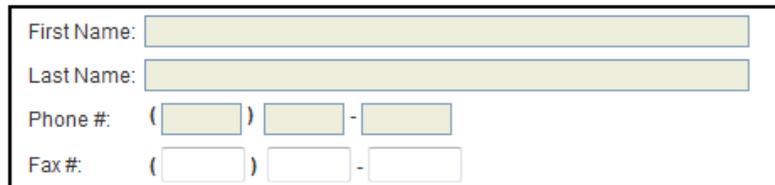
KERMIT enables electronic submission of applications, performance and compliance data submission and electronic workflow management.

For additional information, the applicant should refer to the [KERMIT application page](#) on the Commission's website. This page provides links to frequently asked questions about KERMIT; an external overview document, illustrating how to navigate within KERMIT; and a company administration document, illustrating how to manage KERMIT accounts.

KERMIT Functions

Fields

Most mandatory fields display a shaded background. Some fields that are conditional may become mandatory, and do not appear with the shaded background, but will appear under the Finalize tab as an outstanding issue.

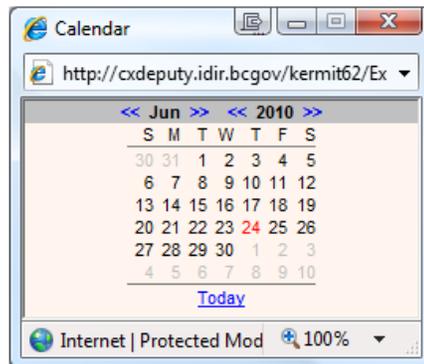


A screenshot of a web form with the following fields: 'First Name:' followed by a shaded text input box; 'Last Name:' followed by a shaded text input box; 'Phone #:' followed by three shaded input boxes for area code, prefix, and number; and 'Fax #:' followed by three shaded input boxes for area code, prefix, and number.

Fig. 5.1. Shaded mandatory fields in KERMIT

Date

All editable date fields have a calendar button which opens up a calendar. Select a date, or enter it manually in the MMM/DD/YYYY format.

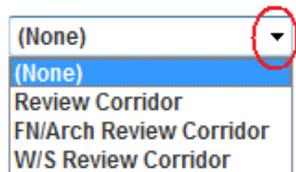


Buttons and Menus

The save button  updates the application, allowing the user to enter information, save it and return at a different time to edit or complete it.

The find button  opens a pop-up window the user can use to search for a detail.

Drop-down menus contain a list of pre-set values from which the user can choose. Click on the down arrow to see the list and select.



Search

The search function in KERMIT provides a way to link an application, notice or activity to an existing site or project.

For applications and notices of intent, step one of searching is the same. Applicants may search for a specific site or project by entering information in any of the open search fields. The more specific the information used to search, the more specific the search result. The OGC file number is the preferred search method.

Fig. 5.3. KERMIT search fields.

Attachments Tab

The attachments tab allows a user to upload documents and relate them to the job. To attach a document:

- 1) Choose the document type from the drop-down menu.
- 2) Click the upload button.
- 3) Type the name and extension of the file, or click the browse button to open a search window to search for a document.
- 4) Click the upload button to upload the document.
- 5) Fill in the file reference, author name and author's email address.
- 6) Click the save button to finalize the attachment.

Finalize Tab

KERMIT will indicate if there are outstanding issues with the application. After the outstanding Issues are corrected, the application can be finalized and submitted to the Commission.

If First Nations packages are required, the Commission will not review the application in KERMIT until the hard copy packages are submitted and the Commission receives the applicable fees.

KERMIT Application Header

| >> Pipeline Permit | | | |
|--------------------|---------------|-------------------|----------------|
| Job #: | 007271197-001 | Status: | New |
| OGC File #: | | Application Type: | Pipeline (New) |
| Proponent: | | Application Date: | mmm dd, yyyy |
| | | Complexity: | Non-Routine |
| | | Activity Type: | (None) |
| | | Submission #: | 0 |
| | | Revision #: | 0 |
| | | Approval Date: | mmm dd, yyyy |

[Print Pipeline Permit](#)

Application Engineering Land Forestry First Nation(s) Stream Crossing Consultation Attachments Finalize

Fig. 5.5. KERMIT application header on pipeline application page.

At the top of the pipeline application is the header. The header displays:

Job # Used to identify a specific pipeline. The user can click on the link to navigate to that job.

OGC File # Used to identify related surface rights applications.

Proponent Name of the related organization.

Status Displays what stage the job is in.

Application Type Pipeline or facility application type.

Application Date The date on which the application was submitted or the hardcopy was received.

Complexity Identifies the application as either Routine or Non-Routine.

Submission # The number of times the application has been submitted.

Revision # The number of times the application has been resubmitted after screening.

Approval Date The date on which the application was approved.

Print Pipeline Application View and print a hard copy of the application. Used when a hard copy needs to be submitted with other application deliverables (for example, First Nation[s] package).

Appendix C: Notice of Construction Start Submissions

A Notice of Construction Start is submitted through the Commission's KERMIT database.

Go to Notice of Construction Start

- 1) From the Applications page, go to the Activities group.
- 2) Select Notice of Construction Start.
- 3) Select NCS (Upstream or Downstream) for project.
- 4) [Search](#) for the OGC file number or operator.
- 5) Select new NCS for the associated OGC file number to open the Notice of Construction Start page.

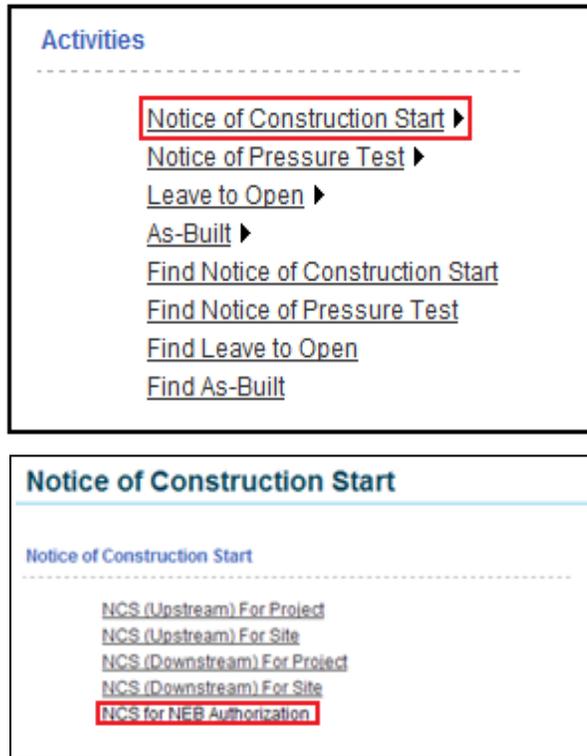


Fig. 5.1. Open a Notice of Construction Start

Notice of Construction Start (NCS) Page

This page contains categorized tabs where information is to be entered. The tab categories include Overview, Attachments and Finalize.

Notice of Construction Start (NEB)

Job #: [006268353-001](#) Status: *New* [Print Notice of Construction](#)

OGC File #: Application Date: mmm dd, yyyy

NEB Authorization #: [006268464-001](#)

Operator: EnCana Oil & Gas Co. Ltd.

Overview Attachments Finalize

General Application Info

Proposed Start Date: Application Source: Online

Created Date: Mar 28, 2012

Created By: Mike Klapwyk

Completed Date: mmm dd, yyyy

Fig. 5.2. Open a Notice of Construction Start

Overview Tab

The Overview tab identifies permit holder and land/referral agent information, as well as project specific details. For most pipeline operation submissions, the information fields are the same, from General Application Information to Field Representative. The Pipeline Activity section includes information fields specific to the submission.

The permit holder that holds the surface tenure is accountable for the accuracy of the application content entered into KERMIT. If the permit holder chooses to use outside agents or consultants, the permit holder remains accountable for the accuracy of the application.

General Application Info

This section shows the source of the application. Enter the proposed construction start date and, in the Activity Description box, enter a summary of the activity, including the location of where the pipeline construction will commence.

Operator

The Operator section captures permit holder information. The company name and information should appear automatically. If the company name does not appear, or the address is incorrect, the permit holder must contact the Commission's Corporate Land Management Unit to update the information before submitting its application or notice.

If a company contact has previously been entered into the Commission database, use the Find button to search for the contact. If no contact is found, enter the information manually.

Agent (Optional)

If an agent submits on behalf of the permit holder, a letter of authorization from the permit holder must be on file at the Commission before submitting the application.

Company name and information should appear automatically. If the company name does not appear, or the address is incorrect, the permit holder must contact the Commission's Corporate Land Management Unit to update the information before submitting its application or notice.

If a company contact has previously been entered into the Commission database, use the Find button to search for the contact. If no contact is found, enter the information manually.

Indicate in the check box if there is an agent agreement in place.

I am authorized to submit this request on behalf of the company shown above.

Agent Agreement

Field Representative

Enter the full name and phone number of the Field Representative for the project.

Pipeline Activity

Click the Segment Number for details. For each affected pipeline segment, check the Include box to ensure that the related information will be included in the application. KERMIT will not accept the submission if the details are not included.

Appendix D – Engagement Log Example

First Nation Engagement Log

The Commission recommends keeping a log of all engagement and attempts to engage. An engagement log can greatly benefit the process flow when the First Nation has been advised that the applicant's engagement activities will be shared with the Commission. The engagement log may be considered in the decision making process.

Below is a description of the recommended information fields in an Engagement Log, and an example format that may be used.

- Communities** List which communities require engagement.
- Engagement Attempts** Provide a description of what efforts to engage were made and whether or not engagement occurred.
- Meeting Successfully Held** Indicate if meetings resulted from attempts to engage.
- Date of Meeting** List the corresponding dates of attempted and actual engagement.
- Location** Indicate where the meeting took place; for example, at a specific location or via teleconference.
- Attendees/ Parties to Meeting** List all of the people attended, or were involved in the meeting. List is to include all parties to the discussion.
- Topic Discussed** Provide a description of what topics of discussion arose during the meeting.
- Analysis, comments, concerns, or recommendations from Nation** List any details provided by the First Nation in the analysis, comments, concerns or recommendations provided during discussions.
- Commitments Made** List any initiatives, options, mitigation measures, or other commitments discussed

and/or offered.

First Nation Engagement Log

The following table provides an example template for a First Nations Engagement Log. An electronic version of the engagement log template is also available on the [First Nations page](#) of the Commission website.

| Company Name: | | | Company File No.: | | | | Commission File No.: | | | |
|------------------------------|-------------|---------------------|-----------------------------------|-----------------------------|----------|-----------|----------------------|---|---|------------------------------|
| FIRST NATIONS ENGAGEMENT LOG | | | | | | | | | | |
| # | Communities | Engagement Attempts | Meeting Successfully Held? Y/N | Date of Meeting DD/MM/YY | Location | Attendees | Topics Discussed | Analysis, comments, concerns, or recommendations from Nation | Commitments to address the Nation's analysis, comments, concerns, or recommendations | Other Related Information |
| 1 | | | | | | | | | | |
| 2 | | | | | | | | | | |
| 3 | | | | | | | | | | |
| 4 | | | | | | | | | | |
| 5 | | | | | | | | | | |

Table F.1 First Nation Engagement Log Example